



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

January 17, 2023

BY ECF

Hon. Edgardo Ramos
United States District Judge
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *ACLU et al. v. Customs and Border Protection et al.*, 21 Civ. 10430 (ER)

Dear Judge Ramos:

This Office represents the defendant agencies in the above-referenced action brought under the Freedom of Information Act. Pursuant to the Court's order, I write respectfully to provide the Court with an updated status report regarding the agencies' outstanding searches and productions in this case, some of which have been delayed from the agencies' original estimates.

Customs and Border Protection: made productions on July 21, August 31, and October 14; CBP located some responsive videos, which it is currently reviewing; it is preparing to release these videos soon, pending resolution of technical issues.

Federal Bureau of Investigation: produced documents on June 21, November 15, and December 15; the remaining records are videos, which based on a preliminary review, the FBI would likely withhold in full. The parties intend to discuss this matter further.

U.S. Marshals Service: made productions on July 15, October 24, and December 16, and anticipates making a final production in late January.

The parties will make their next monthly status report on February 17, 2023. We thank the Court for its consideration of this matter.

Respectfully,

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United States Attorney

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cc: Counsel for plaintiffs (by ECF)